

THURSDAY, APRIL 21, 1994

NINETIETH LEGISLATIVE DAY

The House met at 8:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer and the Pledge of Allegiance to the Flag by Rep. Knight.

ROLL CALL

The roll call was taken with the following results:

Present . . . . . 96

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

Representative Davis.

Representative Huskey.

Representative Boyer; prior obligations.

MESSAGE FROM THE SENATE

April 20, 1994

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 511, 512, 513, 514, 515, 516 and 517; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

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Senate Joint Resolution No. 0511 -- Naming and Designating -- "Dr. Martin Luther King, Jr. Solidarity Day," June 19, 1994. by \*Davis.

Senate Joint Resolution No. 0512 -- Memorials, Interns -- Jawanza Whitfield. by \*Davis, \*Gilbert, \*Harper, \*McKnight, \*Cohen.

Senate Joint Resolution No. 0513 -- Naming and Designating -- "Dr. Martin Luther King, Jr. Solidarity Day," June 19, 1994. by \*Ford, \*Kyle.

Senate Joint Resolution No. 0514 -- Memorials, Interns -- Candi Michelle Gholson. by \*Davis, \*Ford.

Senate Joint Resolution No. 0515 -- Memorials, Recognition and Thanks -- Dr. Oscar C. Page. by \*Cohen.

Senate Joint Resolution No. 0516 -- Memorials, Recognition and Thanks -- Dr. Benjamin Lawson Hooks. by \*Cohen.

Senate Joint Resolution No. 0517 -- Memorials, Public Service -- Henry Walker, general counsel, Public Service Commission. by \*Cohen, \*Cooper.

#### MESSAGE FROM THE GOVERNOR

April 20, 1994

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 691 and 1313; also, House Joint Resolution(s) No(s). 517, 529, 545, 618, 619, 620, 621, 622, 623, 625, 626, 627, 628, 629, 630, 631, 632, 634, 635, 636, 637, 639, 640, 641, 642, 645, 646, 648, 649, 650, 651, 652, 653, 654, 655, 656, 658, 659, 660, 661, 662, 664, 665, 668, 670, 671, 672, 673, 674, 676, 678, 679, 680, 681 and 682; with his approval.

DIANNE F. NEAL, Counsel to the Governor.

#### MESSAGE FROM THE GOVERNOR

April 20, 1994

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 2657, with his approval.

DIANNE F. NEAL, Counsel to the Governor.

#### RESOLUTIONS LYING OVER

On motion, the resolution listed was held on the Clerk's desk:

\*Senate Joint Resolution No. 0301 -- General Assembly, Studies -- Creates special joint committee to study impact of undisciplined youth on public school system and to develop "halfway" program for

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students re-entering public school population.

**SENATE BILLS TRANSMITTED**

On motion, the Senate Bills listed below, transmitted to the House, were Held on the Clerk's desk pending third consideration of the companion House Bill as noted:

**Senate Bill No. 0575** -- Education -- Increases from 5 to 10 percent funding bonus for consolidating school systems. Amends TCA, Titles 49, 67. (\*HB 0084).

**\*Senate Bill No. 0591** -- Apportionment, Legislative -- Moves precinct 27-3 from Senate District 21 to Senate District 17. Amends TCA 3-1-102. (HB 0775).

**\*Senate Bill No. 0933** -- Districting, Congressional -- Revises composition of congressional districts. Amends TCA 2-16-103. (HB 0693).

**\*Senate Bill No. 2884** -- Stone, Stone Products -- Provides for use in Rutherford County of borrow pits for construction purposes, provided material from borrow pit not used for supplying material for certain specified plants. (HB 2904).

**REPORT FROM SELECT COMMITTEES**

The Clerk announced that the Joint Study Committee on The Drug Task Force, pursuant to House Joint Resolution No. 82 of 1993, has completed its work and submitted its final report, which is on file in the Clerk's office.

**CONSENT CALENDAR**

**House Resolution No. 0243** -- Memorials, Sports -- Coach DeLynn Cline.

**House Resolution No. 0244** -- Memorials, Interns -- Thomas H. Porter.

**House Resolution No. 0245** -- Memorials, Sports -- Coach Dennis Cline, Powell Valley High School boys' basketball coach.

**House Resolution No. 0246** -- Memorials, Sports -- 1993 Powell Valley High School football team.

**House Resolution No. 0247** -- Memorials, Death -- Michael C. Mathis, Memphis firefighter.

**House Resolution No. 0248** -- Memorials, Death -- William E. Bridges, Memphis firefighter.

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**House Joint Resolution No. 0731 -- Memorials, Professional Achievement -- David Welles, Court of Criminal Appeals.**

**House Joint Resolution No. 0732 -- Memorials, Public Service -- Gina Coakley.**

Pursuant to Rule No. 50, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**REGULAR CALENDAR**

**House Joint Resolution No. 0705 -- Memorials, Public Service -- Representative Bill Collier.**

Rep. Ridgeway moved that House Joint Resolution No. 705 be adopted, with the request that all members voting aye be added as sponsors, which motion prevailed by the following vote:

Ayes. . . . .	95
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Crain, Cross, Davidson, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Jackson, Johnson, Jones R

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(Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

**House Joint Resolution No. 0709** -- Memorials, Public Service -- Representative Mayo Wix.

Rep. Purcell moved that **House Joint Resolution No. 709** be adopted, which motion prevailed by the following vote:

Ayes. . . . .	95
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

**House Joint Resolution No. 0710** -- Memorials, Public Service -- Representative Charlie Severance.

Rep. Armstrong moved that **House Joint Resolution No. 710** be adopted, which motion prevailed by the following vote:

Ayes. . . . .	95
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell,

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Hargrove, Hassell, Haun, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Joint Resolution No. 0711 -- Memorials, Public Service -- W. Townsend Anderson.

Rep. Purcell moved that House Joint Resolution No. 711 be adopted, which motion prevailed by the following vote:

Ayes. . . . .	96
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

House Joint Resolution No. 0713 -- Memorials, Public Service -- Representative Dick Clark.

Rep. Purcell moved that House Joint Resolution No. 713 be adopted, which motion prevailed by the following vote:

Ayes. . . . .	96
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Duer, Ferguson, Fisher,

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Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Whitson moved that the rules be suspended for the purpose of introducing House Resolution No. 249 out of order, which motion prevailed.

House Resolution No. 0249 -- Memorials, Public Service -- Representative Calvin Moore. by \*Whitson.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Whitson, with the request that all members voting aye be added as sponsors, the resolution was adopted by the following vote:

Ayes. . . . .	90
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 90.

A motion to reconsider was tabled.

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MESSAGE CALENDAR

HOUSE ACTION ON SENATE MESSAGES

\*Senate Bill No. 2424 -- AIDS -- Allows law enforcement officer who has been exposed to blood or bodily fluids of arrested suspect to require that blood of such suspect be tested for hepatitis B and HIV virus. Amends TCA, Title 68, Ch. 10, Pt. 1.

CONFERENCE COMMITTEE APPOINTED  
ON SENATE BILL NO. 2424

Pursuant to Rule No. 73, Representative Kent moved that the Speaker appoint a Committee of the House to meet with a like Committee of the Senate to resolve the differences between the two bodies on Senate Bill No. 2424, which motion prevailed.

The Speaker appointed Representatives Cole (Carter), Pruitt, Dixon and Odom as the House members of the Conference Committee on Senate Bill No. 2424.

RULES SUSPENDED

Rep. Kent moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 733 out of order, which motion prevailed.

House Joint Resolution No. 0733 -- Memorials, Public Service -- Representatives Karen Williams. \*Kent, \*Bittle.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Kent, with the request that all members voting aye be added as sponsors, the resolution was adopted by the following vote:

Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams



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(Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**CHAIR TO DEBERRY**

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker pro tempore.

**MOTION TO RECESS**

On motion of Speaker protem DeBerry, the House recessed for 10 minutes.

**CHAIR TO SPEAKER**

Mr. Speaker Naifeh resumed the Chair.

**RECESS EXPIRED**

The recess having expired, the House was called to order by Mr. Speaker Naifeh.

On motion of Rep. Hargrove, the roll call was dispensed with.

**RETURN REQUESTED**

Rep. Byrd moved that the Clerk request the return of House Bill No. 1578 from the Senate, which motion prevailed.

**MESSAGE FROM THE SENATE  
April 21, 1994**

MR. SPEAKER: I am directed to return to the House, House Bill No. 1866.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE  
April 21, 1994**

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 2794.

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The Senate refused to recede from its action in nonconcurring in House Amendment(s) No(s). 3.

The Speaker appointed a Conference Committee composed of Senators Wright, Burks and Crowe to confer with a like Committee from the House to resolve the differences of the two bodies on Senate Bill No. 2794.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**HOUSE ACTION ON SENATE MESSAGES**

**\*Senate Bill No. 2794** -- Motor Vehicles, Titling and Registration -- Authorizes issuance of special license plates for honorably discharged veterans of United States armed forces. Amends TCA, Title 55, Ch. 4.

**CONFERENCE COMMITTEE APPOINTED  
ON SENATE BILL NO. 2794**

Pursuant to Rule No. 73, Representative Hillis moved that the Speaker appoint a Committee of the House to meet with a like Committee of the Senate to resolve the differences between the two bodies on Senate Bill No. 2794, which motion prevailed.

The Speaker appointed Representatives Hillis, Cole (Carter) and Cross as the House members of the Conference Committee on Senate Bill No. 2794.

**MOTION TO RECONSIDER**

Rep. Herron moved to lift from the table the motion to reconsider Senate Bill No. 2182, which motion prevailed.

**\*Senate Bill No. 2182** -- Criminal Offenses -- Shields person from conviction of weapon offense if weapon employed in defense of self or other while a victim. Amends TCA, Title 39, Ch. 17, Pt. 13.

Rep. Herron moved to reconsider action in passing Senate Bill No. 2182, which motion prevailed.

On motion, the House reconsidered its action in adopting Amendment No. 1. On motion, Amendment No. 1 was withdrawn.

Rep. Herron moved that Senate Bill No. 2182 be passed on third and final consideration.

Rep. Westmoreland moved the previous question, which motion prevailed by the following vote:

Ayes. . . . .	67
Noes. . . . .	23
Present and not voting. . . . .	2

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Representatives voting aye were: Arriola, Bittle, Buck, Byrd, Callicott, Chiles, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Duer, Fisher, Fowlkes, Garrett, Givens, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hillis, Jackson, Johnson, Joyce, Kent, Lewis, Liles, McAfee, McDaniel, Meyer, Mires, Moore, Napier, Odom, Owenby, Phillips, Pinion, Pruitt, Ramsey, Rhinehart, Ridgeway, Rinks, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Tindell, Turner (Hamilton), Venable, Walley, West, Westmoreland, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood -- 67.

Representatives voting no were: Allen, Anderson, Armstrong, Bell, Bragg, Brooks, Brown, Chumney, Dixon, Ferguson, Gunnels, Jones R (Shelby), Jones U (Shelby), Kernell, Love, McKee, Miller, Peroulas Draper, Phelan, Rigsby, Ritchie, Turner (Shelby), Williams (Shelby) -- 23.

Representatives present and not voting were: Knight, Thompson -- 2.

Senate Bill No. 2182 passed on third and final consideration by the following vote:

Ayes. . . . .	83
Noes. . . . .	12
Present and not voting. . . . .	1

Representatives voting aye were: Allen, Anderson, Arriola, Bell, Bittle, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Jackson, Johnson, Joyce, Kent, Kisber, Knight, Lewis, Liles, McAfee, McDaniel, McKee, Meyer, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 83.

Representatives voting no were: Armstrong, Brooks, Brown, DeBerry, Dixon, Jones R (Shelby), Jones U (Shelby), Kernell, Love, Miller, Pruitt, Turner (Shelby) -- 12.

Representatives present and not voting were: Clark -- 1.

A motion to reconsider was tabled.

Rep. Herron moved to concur in Senate Amendments Nos. 4, 5, 8, 10 and 12 to Senate Bill No. 2182.

RULING OF THE CHAIR

Mr. Speaker Naifeh ruled that Senate Bill No. 2182 had been --4213--

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properly passed third and final consideration on the last vote, which included all Senate Amendments.

### MESSAGE CALENDAR, CONTINUED

#### MOTION TO RECONSIDER

**\*Senate Bill No. 2725** -- Custody and Support -- Provides that alimony in futuro will end upon remarriage. Amends TCA 36-5-101.

Previously considered on April 11, 13, 14 and 20, 1994, at which time a motion to lift from the table was adopted; the motion to reconsider was adopted; a motion was made to adopt Amendment No. 2, the bill was placed on the Message Calendar for April 13, 14 and 20. The House refused to recede from adopting Amendment No. 1 and the bill was then reset to the Message Calendar for April 21, 1994.

Rep. Clark moved that the House reconsider its action to refuse to recede in Amendment No. 1, which motion prevailed.

Rep. Clark moved to withdraw the motion to refuse to recede in adopting Amendment No. 1, which motion prevailed.

Rep. Clark moved to lift from the table the motion to reconsider, which motion prevailed.

Rep. Clark moved that the House reconsider its action in passing Senate Bill No. 2725, which motion prevailed.

Rep. Clark moved that the House reconsider its action in adopting Amendment No. 1.

Rep. Clark moved to withdraw Amendment No. 1, which motion prevailed.

Rep. Clark moved to adopt Amendment No. 2 as follows:

#### Amendment No. 2

Amend Senate Bill No. 2725 by deleting the words "alimony in futuro" wherever they appear and substituting the words "alimony in futuro or alimony the amount of which is not calculable on the date the decree was entered".

On motion, Amendment No. 2 was adopted.

Rep. Clark moved that **Senate Bill No. 2725**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	95
Noes. . . . .	0

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Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Pruitt, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

**MESSAGE FROM THE SENATE**

**April 21, 1994**

MR. SPEAKER: I am directed by the Senate to recall House Bill No. 1766, for further consideration.

CLYDE W. McCULLOUGH, Jr., Chief Clerk.

**HOUSE BILL RETURNED**

The Clerk returned House Bill No. 1766 to the Senate, as requested.

**MESSAGE FROM THE SENATE**

**April 21, 1994**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2451; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM SENATE**

**April 21, 1994**

MR. SPEAKER: I am directed by the Senate to return to the House, House Bill No. 1578, as requested.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

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ENGROSSED BILLS  
April 21, 1994

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 731 and 732.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE  
April 21, 1994

MR. SPEAKER: I am directed to return to the House, House Bill No. 2284.

The Senate lifted the tabling motion, reconsidered passage of the bill, reconsidered adoption of Amendment No. 1, withdrew Amendment No. 1; then repassed the bill on third and final consideration.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE  
April 21, 1994

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1331; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE  
April 21, 1994

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2456; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE  
April 21, 1994

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2427; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

THURSDAY, APRIL 21, 1994 -- NINETIETH LEGISLATIVE DAY

ENGROSSED BILLS

April 21, 1994

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 705, 709, 710, 711, 713 and 733.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

April 21, 1994

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 504, 518, 519 and 520; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 0504 -- Naming and Designating -- Ned McWherter Scholars Program. by \*Albright, \*O'Brien, \*Elsea, \*Atchley, \*Womack, \*Burks, \*Springer, \*Rochelle, \*Cooper, \*Harper, \*Kyle.

Senate Joint Resolution No. 0518 -- Memorials, Public Service -- Cora Ellarine Moses. by \*Davis.

Senate Joint Resolution No. 0519 -- Memorials, Interns -- Dabney Roberts. by \*Cohen.

Senate Joint Resolution No. 0520 -- Memorials, Interns -- Matt Cleaves. by \*Cohen.

MESSAGE FROM THE SENATE

April 21, 1994

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1766; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

April 21, 1994

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 2424.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

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MESSAGE FROM THE SENATE  
April 21, 1994

MR. SPEAKER: I am directed to return to the House, House Bill No. 2808.

The Senate lifted the tabling motion, reconsidered passage of the bill, reconsidered adoption of Amendment No. 3, withdrew Amendment No. 3; then repassed the bill on third and final consideration, as amended.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE  
April 21, 1994

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 2557.

The Senate nonconcurred in House Amendment(s) No(s). 1.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE  
April 21, 1994

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 301; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

SIGNED  
April 21, 1994

The Speaker signed the following: Senate Bill(s) No(s). 301.

MESSAGE FROM THE SENATE  
April 21, 1994

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2153; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE CALENDAR, CONTINUED

HOUSE ACTION ON SENATE MESSAGE

\*Senate Bill No. 2424 -- AIDS -- Allows law enforcement officer who has been exposed to blood or bodily fluids of arrested suspect



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to require that blood of such suspect be tested for hepatitis B and HIV virus. Amends TCA, Title 68, Ch. 10, Pt. 1.

CONFERENCE COMMITTEE REPORT  
ON SENATE BILL NO. 2424

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on Senate Bill No. 2424 (House Bill No. 2568 ) has met and recommends that House amendments #1 and #2 be adopted.

Senators

Tom Leatherwood  
Douglas Henry  
Curtis Persons  
Burks  
Jim Holcomb

Representatives

Joe Kent  
Ralph Cole  
Mary Pruitt  
Gary Odom  
Roscoe Dixon

Rep. Kent moved that the Report of the Conference Committee on Senate Bill No. 2424 be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes. . . . .	92
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 92.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 2456 -- Women -- Creates Tennessee Commemorative Woman's Suffrage Commission. Amends TCA, Title 4.

Senate Amendment No. 1

AMEND House Bill No. 2456 by adding the following as a new section to precede the effective date section:

SECTION \_\_\_\_\_. Tennessee Code Annotated, Section

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4-29-217(a), is amended by adding a new item thereto, as follows:

( ) Tennessee commemorative woman's suffrage commission, created by Section 1 of this act;

**Senate Amendment No. 2**

Amend House Bill No. 2456 by adding the following as a new section immediately preceding the effective date section and by renumbering the effective day section accordingly:

Section \_\_\_\_\_. The commission and any not-for-profit corporation created by the commission shall be subject to audit by the comptroller of the treasury.

Rep. Chumney moved that the House concur in Senate Amendment(s) No(s). 1 and 2 to **House Bill No. 2456**, which motion prevailed by the following vote:

Ayes. . . . .	91
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 91.

A motion to reconsider was tabled.

**REQUEST TO CHANGE VOTE**

Pursuant to Rule No. 31, the following member(s) desire to change their original stand from not voting to aye on the motion to concur in Senate Amendments Nos. 1 and 2 to House Bill No. 2456 and have this statement entered in the Journal: Rep(s). Peroulas Draper.

**HOUSE ACTION ON SENATE AMENDMENT**

**House Bill No. 1331 -- Business and Commerce -- Requires**

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applicants for pawnshops in Shelby County to have capability of electronically transferring information on pawned items to police or sheriff's department; existing pawnshops in Shelby County have one year to comply. Amends TCA, Title 45, Ch. 6, Pt. 2.

Senate Amendment No. 3

Amend House Bill No. 1331 by deleting Section 3 in its entirety and by substituting instead the following new sections:

Section 3. Tennessee Code Annotated, Section 45-6-209, is amended by adding the following new subsection:

( ) In any county having a population of more than eight hundred thousand (800,000), according to the 1990 federal census or any subsequent federal census, each licensed pawnbroker shall retain these records for a period of one (1) year. After such time these records shall be delivered to the appropriate law enforcement agency in the county.

Section 4. This act shall take effect on January 1, 1995, the public welfare requiring it.

Rep. Joyce moved that the House concur in Senate Amendment(s) No(s). 3 to House Bill No. 1331, which motion prevailed by the following vote:

Ayes. . . . .	95
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Jackson, Johnson, Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

MOTION TO RECONSIDER

Rep. Byrd moved to lift from the table the motion to reconsider House Bill No. 1578, which motion prevailed.

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**House Bill No. 1578** -- District Attorneys -- Authorizes criminal investigators to join TCRS and to establish retirement credit through appropriate lump sum payment, plus 7 1/2 percent interest. Amends TCA 8-34-206.

Rep. Byrd moved to reconsider our action in passing House Bill No. 1578, which motion prevailed.

Rep. moved that House Bill No. 1578 be passed on third and final consideration.

Rep. Bragg moved to adopt Amendment No. 4 as follows:

**Amendment No. 4**

AMEND House Bill No. 1578 by deleting from Section 3 the language "July 1, 1993" and by substituting instead the language "July 1, 1994.

AND FURTHER AMEND by deleting from the effective date section the language "July 1, 1993" and by substituting instead the language "July 1, 1994.

On motion, Amendment No. 4 was adopted.

Rep. Byrd moved that **House Bill No. 1578**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	96
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

**HOUSE ACTION ON SENATE AMENDMENTS**

**House Bill No. 2427** -- Child Abuse -- Increases sentence length

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and classification for aggravated child abuse. Amends TCA, Titles 37, 39; Title 40, Ch. 35.

**Senate Amendment No. 1**

Amend House Bill No. 2427 by adding the following new section immediately preceding the effective date section and by renumbering subsequent sections accordingly:

Section \_\_\_\_\_. "Tennessee Code Annotated, Section 39-15-402 is amended by adding the following new subsection:

"(c) Nothing in this chapter shall be construed to mean a child is neglected, abused, or abused in an aggravated manner for the sole reason he is being provided treatment by spiritual means through prayer alone in accordance with the tenets or practices of a recognized church or religious denomination by a duly accredited practitioner thereof in lieu of medical or surgical treatment."

**Senate Amendment No. 3**

Amend House Bill No. 2457 by deleting Section 3 of the printed bill in its entirety and by redesignating the subsequent sections accordingly.

Rep. Napier moved that the House concur in Senate Amendment(s) No(s). 1 and 3 to House Bill No. 2427, which motion prevailed by the following vote:

Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**\*House Bill No. 2153 -- Criminal Offenses -- Enacts "Wiretapping and Electronic Surveillance Act of 1994".**

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Senate Amendment No. 5

Amend House Bill No. 2153 by inserting a new Section 4(2)(a) to read as follows:

(2)(a) It shall be lawful under this act for an officer, employee, or agent of a provider of wire or electronic communications service, or a transmission of a wire communication, to intercept, disclose or use that communication in the normal course of employment while engage in any activity which is necessary to the rendition of service or to the protection of the rights or property of the provider of that service. Nothing in this act shall be construed to prohibit a telecommunications or other company from engaging in service observing for the purpose of maintaining service quality standards for the benefit of consumers.

Rep. Herron moved that the House concur in Senate Amendment(s) No(s). 5 to House Bill No. 2153, which motion prevailed by the following vote:

Ayes. . . . .	84
Noes. . . . .	7

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Clark, Coffey, Cole (Carter), Cole (Dyer), Crain, Cross, Davidson, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Pinion, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Venable, Walley, West, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 84.

Representatives voting no were: Chiles, Chumney, Haun, Kernell, Phillips, Turner (Shelby), Williams (Shelby) -- 7.

A motion to reconsider was tabled.

House Bill No. 2808 -- Children -- Extends time from five to ten days in which juvenile offenders may appeal referee's decision with juvenile court. Amends TCA, Title 37.

Senate Amendment No. 3

Amend House Bill No. 2808 by deleting SECTION 1 in its entirety and substituting instead the following:

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SECTION 1. Tennessee Code Annotated, Sections 37-1-153 and 37-1-154, are amended by designating the existing language of each such section as subsection (a) and by adding the following new subsections (b) and (c) to each such section:

(b) Notwithstanding the provisions of subsection (a), petitions and orders of the court in a delinquency proceeding under this part shall be opened to public inspection and their content subject to disclosure to the public if:

(i) The juvenile is fourteen (14) years or more of age at the time of the alleged act; and

(ii) The conduct constituting the delinquent act, if committed by an adult, would constituted first degree murder, second degree murder, rape, aggravated rape, aggravated robbery, especially aggravated robbery, kidnapping, aggravated kidnapping or especially aggravated kidnapping.

Rep. Herron moved that the House concur in Senate Amendment(s) No(s). 3 to House Bill No. 2808, which motion prevailed by the following vote:

Ayes. . . . .	93
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Crain, Cross, Davidson, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

House Bill No. 2451 -- Purchasing -- Specifies that certain governmental purchasing programs for disadvantaged business enterprises include such enterprises owned by African Americans. Amends TCA, Titles 12, 49, 54.

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Senate Amendment No. 1

Amend House Bill No. 2451 by changing the date "1994" in House Amendment No. 4 to read "1995".

Rep. Brooks moved that the House concur in Senate Amendment(s) No(s). 1 to House Bill No. 2451, which motion prevailed by the following vote:

Ayes. . . . .	87
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Crain, Cross, Davidson, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Hargrove, Hassell, Haun, Head, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Love, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 87.

A motion to reconsider was tabled.

Senate Bill No. 2557 -- Election Laws -- Revises law concerning voter registration. Amends TCA, Title 2, Ch. 2.

Rep. Purcell moved to recede from our action in adopting Amendment No. 1, which motion prevailed.

RULING OF THE CHAIR

Mr. Speaker Naifeh ruled that Amendment No. 1 was withdrawn.

HOUSE ACTION ON SENATE MESSAGE, CONTINUED

Rep. Purcell moved that House Bill No. 2557 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	59
Noes. . . . .	32

Representatives voting aye were: Armstrong, Arriola, Bell, Bragg, Brooks, Brown, Buck, Byrd, Chumney, Clark, Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Ferguson, Fisher,



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Fowlkes, Garrett, Givens, Haley, Haun, Head, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Kernell, Kisber, Lewis, Liles, Love, Miller, Mires, Moore, Napier, Odom, Owenby, Phelan, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Williams (Williamson), Windle, Winningham, Wix, Mr. Speaker Naifeh -- 59.

Representatives voting no were: Allen, Anderson, Bittle, Callicott, Chiles, Coffey, Cole (Carter), Duer, Gunnels, Halteman Harwell, Hassell, Hillis, Joyce, Kent, Knight, McAfee, McDaniel, McKee, Meyer, Peroulas Draper, Ramsey, Ritchie, Severance, Shirley, Stamps, Stockburger, Venable, Walley, Westmoreland, Williams (Shelby), Williams (Union), Wood -- 32.

A motion to reconsider was tabled.

REGULAR CALENDAR, CONTINUED

\*Senate Bill No. 0145 -- Criminal Offenses -- Authorizes T.B.I. to investigate destruction of property by explosives. Amends TCA, Titles 4, 8, 38, 57, 65, 68, 70.

Further consideration of Senate Bill No. 145, previously considered on April 11 and 20, 1994, at which time it was substituted for House Bill No. 1197; the House adopted Amendment No. 2; a motion was made to adopt Amendment No. 3, the bill was then reset to the Calendar for April 21, 1994.

Rep. Kernell moved that Senate Bill No. 145 be passed on third and final consideration.

Rep. Allen renewed the motion to adopt Amendment No. 3 previously file.

Rep. Kernell moved that Amendment No. 3 be tabled, which motion prevailed by the following vote:

Ayes. . . . .	44
Noes. . . . .	40
Present and not voting. . . . .	1

Representatives voting aye were: Armstrong, Bell, Bragg, Brooks, Brown, Byrd, Chumney, Clark, Cole (Dyer), Collier, Cross, Davidson, DeBerry, Dixon, Ferguson, Fisher, Garrett, Hargrove, Head, Hillis, Jackson, Jones R (Shelby), Jones U (Shelby), Love, Miller, Mires, Moore, Napier, Odom, Owenby, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Williams (Shelby), Williams (Williamson), Winningham, Wix, Mr. Speaker Naifeh -- 44.

Representatives voting no were: Allen, Anderson, Arriola, Bittle, Buck, Callicott, Chiles, Coffey, Crain, Duer, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hassell, Haun, Herron,

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Joyce, Kent, Liles, McAfee, McDaniel, Meyer, Peroulas Draper, Pinion, Ramsey, Rigsby, Ritchie, Severance, Shirley, Stamps, Stockburger, Stulce, Venable, Walley, Westmoreland, Williams (Union), Windle, Wood -- 40.

Representatives present and not voting were: Knight -- 1.

Rep. Allen moved to adopt Amendment No. 4 as follows:

**Amendment No. 4**

Amend Senate Bill No. 145 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_\_. (a) Notwithstanding any other provision of law, rule or regulation to the contrary, the commissioner of human services shall, in consultation with the commissioner of finance and administration, prepare, at least twice a year, a current listing of all physicians and pharmacists who have contracted with a managed care organization to provide services or otherwise provide services under the TennCare program. When such list is prepared, it shall be made available to any member of the public requesting such information.

(b) The department of human services shall, in consultation with the commissioner of finance and administration, shall promulgate necessary rules and regulations in accordance with the Uniform Administrative Procedures Act, Title 4, Chapter 5 to become effective on or before July 1, 1994, to implement the provisions of this section.

Rep. Purcell requested that Senate Bill No. 145 be moved to the heel of the Calendar.

**House Bill No. 2355 -- Hospitals and Health Care Facilities --** Allows hospitals to employ physicians and surgeons. Amends TCA, Title 63, Ch. 6; Title 68, Ch. 11.

Further consideration of House Bill No. 2355, previously considered on April 20, 1994, at which time the House adopted Amendment No. 1; a motion was made to adopt Amendment No. 2, and the bill was reset to the Calendar for April 21, 1994.

Rep. Purcell requested that House Bill No. 2355 be moved to the heel of the Calendar.

**HOUSE ACTION ON SENATE MESSAGES**

**\*House Bill No. 0635 -- Election Laws --** Requires department of

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safety and each county election commission to provide for voter registration as part of motor vehicle driver license application or photo identification license used in Tennessee; provides voter registration through certain public agencies. Amends TCA, Title 2, Ch. 2.

**Senate Amendment No. 1**

Amend House Bill No. 635 by adding at the end of the first sentence of Section 3 the following:

Provided, however, a public library, county clerk's office, or a county register of deeds office shall not serve as a voter registration agency if such office is located in the same building as the county election commission's office.

**Senate Amendment No. 2**

AMEND House Bill No. 635 by deleting from Section 1 the language "Sections 2 and 7" and substituting instead the language "Sections 2 through 7 and 9".

AND FURTHER AMEND in Section 2 by adding the following new subsection (f):

A completed voter registration or change of address of voter registration accepted at a motor vehicle office shall be transmitted to the appropriate county election office not later than ten (10) days after the date of acceptance. Provided, however, if the document is accepted within five (5) days before the last day for registration to vote in an election, the application shall be transmitted to the appropriate county election commission office not later than five (5) days after the date of acceptance.

AND FURTHER AMEND in Section 5 by deleting the language "Section 3" and replacing it with the language "Section 3(a) and (b)".

AND FURTHER AMEND in Section 5 by adding the following new subsection:

A completed voter registration accepted at a voter registration agency described in this section shall be transmitted to the appropriate county election commission office not later than ten (10) days after the date of acceptance. Provided, however, if the document is accepted within five (5) days before the last day for registration to vote in an election, the application shall be transmitted to the appropriate county election commission office not later than five (5) days after the date of acceptance.

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AND FURTHER AMEND in Section 6 by deleting the language "Section (3)" and substituting instead the language "Section 3(c)".

AND FURTHER AMEND in Section 6 by adding the following subsection:

A completed voter registration accepted at a voter registration agency described in this section shall be transmitted to the appropriate county election commission office not later than ten (10) days after the date of acceptance. Provided, however, if the document is accepted within five (5) days before the last day for registration to vote in an election, the application shall be transmitted to the appropriate county election commission office not later than five (5) days after the date of acceptance.

AND FURTHER AMEND by deleting Sections 7 and 8 in their entirety, and by substituting instead the following new sections:

SECTION 7.(a) The form by which a person may decline to register to vote that is required by Section 5(b) shall include the following:

(1) The question: "If you are not registered to vote where you live now, would you like to apply to register to vote here today?";

(2) If the agency provides public assistance, the statement, "Applying to register or declining to register to vote will not affect the amount of assistance that you will be provided by this agency.";

(3) Boxes for the applicant to check to indicate whether the applicant would like to register or declines to register to vote together with the statement "IF YOU DO NOT CHECK EITHER BOX, YOU WILL BE CONSIDERED TO HAVE DECIDED NOT TO REGISTER TO VOTE AT THIS TIME.";

(4) The statement, "If you would like help in filling out the voter registration application form, we will help you. The decision whether to seek or accept help is yours. You may fill out the application form in private."; and

(5) The statement, "If you believe that someone has interfered with your right to register or to decline to register to vote or your right to privacy in deciding whether to register or in applying to register to vote, you may file a complaint with the coordinator of elections." The statement shall also include the address and telephone number of the coordinator of elections.

(b) Each voter registration agency shall maintain the declinations completed by their clientele.

SECTION 8. Tennessee Code Annotated, Section 2-2-106, is amended by deleting the section in its entirety and substituting instead the following:

(a) The registration of a person shall be purged:

(1) At the request of the voter;

(2) Ninety (90) days after a change of name for any reason, except by marriage;

(3) If the voter dies;

(4) Upon receiving information that a person has been convicted of an infamous crime as defined by §40-20-112 from the state coordinator of elections, the district attorney general, U. S. attorney, clerk of the court that entered the conviction, or other source upon verification by the clerk of the convicting court;

(5) Upon written confirmation from the voter that the voter has changed the voter's address to an address outside the county of registration or has registered to vote in another jurisdiction; or

(6) Under §2-2-132 if the voter does not vote for four (4) successive calendar years, excluding the year of registration unless during that time the voter has maintained an active registration record by transferring or correcting the voter's registration.

(b) It is the responsibility of the county election commission to implement an address verification program to identify any voter who has changed the voter's residence address without notifying the election commission. This address verification program shall conform with the intent of this act and the National Voter Registration Act of 1993. The county election commission shall complete the address verification process at least on a biennial basis, but may do so annually. The county election commission shall complete any such process not later than ninety (90) days before the regular August election.

(c) If as a result of the address verification program, the county election commission determines that a voter has changed the voter's residence address, the registrar shall mail a forwardable,

first-class confirmation notice to the registrant at the address of registration with a postage prepaid, pre-addressed return form on which the voter may verify or correct the new address information. The county election commission shall also follow this process if indications exist that the voter may no longer reside at the address at which the voter is registered, such as the voter's failure to vote, or otherwise update the voter's registration over a period of two (2) consecutive regular November elections.

(d) Upon the mailing of a notice pursuant to subsection (c), the registrar shall take one (1) of the following steps as appropriate, regardless of whether the voter responds to the confirmation notice:

(1) If the new address is within the county of current registration, the voter's registration will be updated to reflect the new address of residence. If the new address is not in the county of current registration the registrar shall place the voter in an inactive status.

(2) If the voter returns the form and confirms the new address in another county, the registrar shall remove the voter's name from the voter registration rolls, and the registrar shall advise the voter how to register in the new county of residence.

(3) If a voter fails to respond to a confirmation notice and if the voter in fact does not have a new address, the voter may appear at the voter's polling place and vote in any election held between the time the notice was sent and the second regular November election held after the notice was sent. To vote, the voter shall make a written affirmation before the officer of elections at the voter's polling place that:

(A) The voter's residence address has not changed; and

(B) The voter is entitled to vote.

(4) If a voter fails to respond to a confirmation notice and if the voter has changed the voter's residence address to an address within the same county but in another precinct, the voter may correct the registration and vote in any election held between the time the notice was sent and the second regular November election held after the notice was sent. To vote, the

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voter shall make a written affirmation of the voter's new address on election day before either:

(A) The officer of elections at the voter's old polling place; or

(B) An election official at the county election commission office.

(5) Any person voting pursuant to (A) above shall be issued a paper ballot and shall be entitled to vote only for those offices on the ballot in the precinct in which the voter resides. The officer of elections, in the presence of a judge of a different political party and the voter, shall mark through the races where the voter is not entitled to vote. The officer of elections and such judge shall initial each race marked through. The voter shall then proceed to vote as prescribed by §2-7-114.

(6) A voter may go to the polling place established for the precinct in which the voter's new address is located during any election held between the time the notice was sent and the second regular November election held after the notice was sent and be permitted to reactivate the voter's registration record for future elections. To reactivate a registration record, the voter shall make a written affirmation of the new residence address before the officer of elections at the new precinct.

(e) If the voter fails to respond to the confirmation notice, and if the voter fails to make the changes authorized in subsection (c) above, within the required time frame, the registrar shall purge the voter's registration.

(f) Notwithstanding anything in this section to the contrary, the registrar shall send a voter's registration card by non-forwardable mail.

(g) Voter registrations that are inactive pursuant to the provisions of this section shall not be included in a county's total of registered voters. The registrar shall maintain a separate total of voters on inactive status.

(h) Any person who intentionally makes a false affirmation pursuant to this section violates §2-19-107 and shall be punished as provided in §2-19-107.

(i) The county election commission shall not purge a voter for a failure to vote under this section between January 1, 1995, through May 1, 1996, in accordance with 42 U.S.C.A. §1973gg-6(a)(3) and (4) and (b)(2). Provided, however, if the provisions of 42 U.S.C.A. §1973gg-6(a)(3) and (4) and (b)(2) are repealed, the former state law concerning the purge of voter registrations for failure to vote shall be restored to full force and effect.

SECTION 9. The commissioner of safety in accordance with Tennessee Code Annotated, Title 4, Chapter 5, and the coordinator of elections in accordance with Section 2-11-201(c), may promulgate rules and to effectuate the provisions of this act.

SECTION 10. For the purpose of promulgating rules and regulations, this act shall take effect upon becoming law, the public welfare requiring it. Sections 1-6 shall take effect May 1, 1994, the public welfare requiring it. For all other purposes, this act shall take effect January 1, 1995, the public welfare requiring it.

**Senate Amendment No. 1 to Amendment No. 2**

Amend House Bill No. 635 by deleting from Section 10 the following language:

Sections 1-6 shall take effect May 1, 1994, the public welfare requiring it.

**Senate Amendment No. 4**

Amend House Bill No. 635 by deleting from Section 3(a) the words and punctuation ", unemployment compensation, or related services".

**Senate Amendment No. 5**

Amend House Bill No. 635 by adding at the end of Section 4 the following subsection:

(d) A violation of this section is a Class C misdemeanor.

Rep. Purcell moved that the House concur in Senate Amendment(s) No(s). 1, 2 as amended, 4 and 5 to House Bill No. 635, which motion prevailed by the following vote:

Ayes. . . . .	62
Noes. . . . .	32

Representatives voting aye were: Armstrong, Arriola, Bell, Bragg, Brooks, Brown, Buck, Byrd, Chumney, Clark, Cole (Dyer),



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Collier, Crain, Cross, Davidson, DeBerry, Dixon, Ferguson, Fisher, Fowlkes, Garrett, Givens, Hargrove, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Kernell, Kisber, Knight, Lewis, Love, Miller, Mires, Moore, Napier, Odom, Owenby, Phelan, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Williams (Williamson), Windle, Winningham, Wix, Mr. Speaker Naifeh -- 62.

Representatives voting no were: Allen, Anderson, Bittle, Callicott, Chiles, Coffey, Cole (Carter), Duer, Gunnels, Haley, Halteman Harwell, Hassell, Haun, Joyce, Kent, Liles, McAfee, McDaniel, Meyer, Peroulas Draper, Ramsey, Severance, Shirley, Stamps, Stockburger, Venable, Walley, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Wood -- 32.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Arriola moved that the rules be suspended for the purpose of introducing **House Resolution No. 252** out of order, which motion prevailed.

**House Resolution No. 0252** -- Memorials, Public Service -- Representative Peggy Steed Knight. by \*Windle, \*Rinks, \*Arriola, \*Hargrove, \*Ferguson, \*Johnson, \*Chumney, \*Fowlkes, \*Tindell.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Arriola, the resolution was adopted by the following vote:

Ayes. . . . .	95
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

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**BILLS WITHDRAWN**

On motion of Rep. Ritchie, House Bill No. 1888 was withdrawn from the House.

**MOTION TO RECESS**

On motion of Rep. Purcell, the House recessed until 1:30 p.m.

**RECESS EXPIRED**

The recess having expired, the House was called to order by Mr. Speaker Naifeh.

On motion of Rep. Purcell, the roll call was dispensed with.

**MESSAGE FROM THE SENATE**  
**April 21, 1994**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 473 and 521; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**\*Senate Joint Resolution No. 0473** -- General Assembly, Studies -- Creates special joint committee to study the social and economic impact on Tennessee of legalized gaming in states surrounding Tennessee. by \*Person, \*Jordan.

**Senate Joint Resolution No. 0521** -- Memorials, Public Service -- Jean Croce Hemphill. by \*Crowe.

**CONSENT CALENDAR**

**House Resolution No. 0253** -- Memorials, Recognition and Thanks -- Guy Jones, legislative assistant for Gov. McWherter. \*Wix.

Introduced and placed on the Consent Calendar.

**\*Senate Joint Resolution No. 0473** -- General Assembly, Studies -- Creates special joint committee to study the social and economic impact on Tennessee of legalized gaming in states surrounding Tennessee.

Placed on the Consent Calendar pursuant to the suspension of Rule No. 17.

Pursuant to Rule No. 50, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate

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and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes. . . . .	95
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

**MESSAGE FROM THE SENATE  
April 21, 1994**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 286; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE  
April 21, 1994**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1887, 1993, 2049, 2208, 2394, 2443, 2463, 2471, 2485, 2613, 2621, 2746 and 2759; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE  
April 21, 1994**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1064; substituted for Senate Bill(s) on same

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subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE  
April 21, 1994**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2015; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM SENATE  
April 21, 1994**

MR. SPEAKER: I am directed to request the return of House Bill No. 286, for further consideration.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**HOUSE BILL RETURNED**

The Clerk returned House Bill No. 286 to the Senate, as requested.

**MESSAGE FROM THE SENATE  
April 21, 1994**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2527; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE  
April 21, 1994**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2726; passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**Senate Bill No. 2726 -- Education, Higher -- Requires board of trustees and board of regents to establish programs so students may make periodic payments of tuition or maintenance fees. Amends TCA, Title 49, Chs. 7--9. by \*Albright.**

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MESSAGE FROM THE SENATE  
April 21, 1994

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2387; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE  
April 21, 1994

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 401 and 506; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE  
April 21, 1994

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2435; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE  
April 21, 1994

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 474, 633 and 666; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE  
April 21, 1994

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No. 395; amended, and concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE  
April 21, 1994

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No. 428; amended, and concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

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MESSAGE FROM THE SENATE

April 21, 1994

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No. 663; amended, and concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

April 21, 1994

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No. 647; amended, and concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

April 21, 1994

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No. 617; amended, and concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

April 21, 1994

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No. 520; amended, and concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

April 21, 1994

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No. 455; amended, and concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

April 21, 1994

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1806; passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

\*Senate Bill No. 1806 -- Salaries and Benefits -- Increases alternate calculation in determining senior justices' and judges'

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annual salaries in addition to regular retirement allowance from 25 to 50 percent of annual compensation at retirement. Amends TCA, Title 17, Ch. 2, Pt. 3. by \*Person, \*Crutchfield.

MESSAGE FROM THE SENATE

April 21, 1994

MR. SPEAKER: I am directed to return to the House, House Bill No. 1766.

The Senate lifted the tabling motion, reconsidered passage of the bill, reconsidered adoption of Amendment No. 3, withdrew Amendment No. 3; then repassed the bill on third and final consideration, as amended.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

HOUSE ACTION ON SENATE MESSAGES

House Bill No. 2015 -- Railroads -- Allocates sales tax collected from railroads for public railroad bridge rehabilitation. Amends TCA, Title 7, Ch. 56, Pt. 2, 67-6-103.

Senate Amendment No. 4

Amend House Bill No. 2015 by adding a new section to be appropriately numbered and to read as follows:

Section \_\_\_\_\_. The provisions of this act shall not diminish any funds in the transportation equity fund which are or would be available for use by the department of transportation for aeronautics related programs and activities.

Rep. Napier moved that the House concur in Senate Amendment(s) No(s). 4 to House Bill No. 2015, which motion prevailed by the following vote:

Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger,

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Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**\*House Joint Resolution No. 0395** -- General Assembly, Studies -- Creates special legislative task force to study youth violence.

House Joint Resolution No. 395 was moved to the heel of the Messages.

**House Bill No. 2387** -- Firefighters -- Increases amount that may be paid to eligible firefighters from revenues generated by tax on fire insurance from \$450 to \$600. Amends TCA 54-4-205.

**Senate Amendment No. 3**

Amend House Bill No. 2387 by deleting Section 1 in its entirety and by substituting instead the following:

Section 1. Tennessee Code Annotated, Section 56-4-205, is amended by deleting subsection (c) in its entirety and by substituting instead the following:

(c) From revenues generated by the premium tax on fire insurance levied by this section, a sum sufficient shall be earmarked for the payment of the supplemental income bonus, in an amount not to exceed six hundred dollars (\$600), such amount to be established in the annual appropriations act, to eligible firefighters by the commission on firefighting personnel standards and education pursuant to Title 4, Chapter 24.

Rep. West moved that the House concur in Senate Amendment(s) No(s). 3 to House Bill No. 2387.

Rep. West requested that House Bill No. 2387 be moved to the heel of the Messages.

**\*House Bill No. 2527** -- Paternity -- Defines guidelines for establishing paternity and enforcing support duties to comply with Public Law 103-66. Amends TCA, Title 24, Ch. 7, Pt. 1; Title 36, Ch. 2, Pts. 1, 2; Title 36, Ch. 5, Pts. 1, 2; Title 68, Ch. 3, Pts. 2, 3.

**Senate Amendment No. 1**

AMEND House Bill No. 2527 by deleting SECTION 1 in its



entirety and by substituting instead the following language:

SECTION 1. Title 24, Chapter 7, Part 1 of the Tennessee Code Annotated, is amended by adding the following language as a new appropriately numbered section:

T.C.A. § 24-7-11\_\_\_\_. (a) A voluntary acknowledgment of paternity which is completed under the provisions of §§ 68-3-203(g), 68-3-302, or 68-3-305(b) or under similar provisions of another state or government, when certified by the state registrar or other governmental or institutional entity maintaining the record of the acknowledgment shall constitute a rebuttable presumption of paternity of the individual named as the father of the child in the acknowledgment, and the acknowledgment shall be admissible as evidence of that individual's paternity.

(b) A voluntary acknowledgment of paternity which is completed under the provisions of §§ 68-3-203(g), 68-3-302, or 68-3-305(b), or under similar provisions of another state or government, when certified by the state registrar or other governmental entity maintaining the record of the acknowledgment shall be a basis for establishing a support order without requiring any further proceedings to establish paternity.

(c) The entry of an order of legitimation or an order of support or paternity which is based upon the completion of the voluntary acknowledgment of paternity under §§ 68-3-203(g), 68-3-302, or 68-3-305(b) shall cause the rebuttable presumption established by the acknowledgment to become conclusive.

(d)(1) Provided he has not previously signed a sworn waiver of parentage tests, the individual named as the father in an acknowledgment of paternity may, at any time prior to the entry of an order of legitimation, or support, or paternity which is based upon the acknowledgment, move the juvenile court where the acknowledgment is filed, or the court where the action to establish an order of legitimation, support, or paternity is filed, for parentage tests under § 24-7-112 to determine his paternity to the child in question. Payment for the tests shall be made as provided under § 24-7-112(b)(3).

(2) If at anytime prior to the entry of an order of legitimation, paternity, or support, which is based upon execution of the voluntary acknowledgment of paternity, the court has reasonable cause to believe that the individual named as father in the acknowledgment of paternity is or was unable to understand the effects of executing such acknowledgment and of the right to request parentage tests,

the court shall explain orally to the individual the effects of the execution of the acknowledgment and the right to request parentage tests.

(3) The test results certified under oath by an authorized representative of an accredited laboratory shall be filed with the court and shall be admissible on the issue of paternity. If the acknowledged father is found to be excluded by the tests, the action shall be dismissed or the acknowledgment of paternity shall be rescinded. If the test results show a probability of paternity of 99% or greater, the acknowledgment of paternity will become conclusive and no further action shall be necessary to establish paternity.

(e)(1) Nothing herein shall preclude the availability of methods provided by law or rule of procedure for the correction of judgments under the Tennessee Rules of Civil or Juvenile Procedure.

(2)(A) The individual named as father in an acknowledgment of paternity may also institute a separate proceeding upon notice to the child's mother and other necessary parties including the Title IV-D agency within five (5) years of the execution of the acknowledgment, based upon allegations of fraud, whether intrinsic or extrinsic, by the child's mother in the procurement of the acknowledgment of paternity, and if the court finds based upon the evidence presented at the hearing that there is substantial likelihood that fraud existed in the procurement of the acknowledgment of paternity by the child's mother, then, and only then, the court shall order parentage tests; provided, however, such action shall not be barred by the five (5) year statute of limitations where fraud in the procurement of the acknowledgment by the mother of the child is alleged and where the requested relief will not affect the interests of the child, the state, or any Title IV-D agency.

(B) The test results certified under oath by an authorized representative of an accredited laboratory shall be filed with the court and shall be admissible on the issue of paternity. If the acknowledged father is found to be excluded by the tests, the action shall be dismissed or the acknowledgment of paternity shall be rescinded. If the test results show a probability of paternity of 99% or greater, the acknowledgment of paternity will become conclusive and no further action shall be necessary to establish paternity.

(C) The state of Tennessee, its officers, employees, agents or contractors, or any Title IV-D child support enforcement agency shall not in any case be liable to compensate any person as a result of the rescission of any voluntary acknowledgment or any

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orders of legitimation, paternity, or support entered under this section.

(f) The entry of any order rescinding any acknowledgment of paternity or paternity shall not preclude the bringing of a new paternity action against another putative father.

(g) A certified copy of any order rescinding a prior order of legitimation, paternity, or acknowledgment of paternity shall be sent by the clerk to the state registrar at the office of vital records of the department of health. Upon receipt of the order, the registrar shall make the necessary amendment to the birth certificate of the child who was the subject of the order.

FURTHER AMEND by deleting SECTION 6 in its entirety and by substituting instead the following language:

SECTION 6. Tennessee Code Annotated, Section 36-2-202, is amended by deleting subsection (b) in its entirety and by adding the following new language:

(b) In addition to the provisions of subsection (a), a person wishing to legitimate a child may obtain an order of legitimation for a child born to an unmarried woman by filing with the court a certified copy or a duplicate original of the acknowledgment of paternity as prescribed under § 68-3-203(g), 68-3-302, or 68-3-305(b) or Section 1. Further, a duplicate original of the voluntary acknowledgment of paternity filed with the juvenile court by a birthing institution pursuant to the provisions of § 68-3-302(e) shall be the basis for the entry of an order of legitimation by the court. Subject to the provisions of Section 1, the court shall enter an order of legitimation upon the filing of the voluntary acknowledgment of paternity in either of the above situations.

(c) Nothing herein shall be construed to authorize a putative father to legitimate a child or to execute any voluntary acknowledgment of paternity without the consent of the mother of such child.

FURTHER AMEND by deleting subsection (e) of SECTION 11 in its entirety and by substituting instead the following language:

(e) The birthing institution shall forward the original, signed acknowledgment of paternity form to the office of vital records, and shall file a duplicate original of the voluntary acknowledgment of paternity with the juvenile court of the county where the mother resides. The birthing institution shall

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provide copies of the acknowledgment of paternity to the mother and father of the child. These copies shall be deemed originals.

FURTHER AMEND by deleting the period (.) at the end of subdivision (2)(B) of SECTION 12 and by adding the following language:

and shall contain in a distinct portion a provision for the putative father to acknowledge under oath his receipt and understanding of these rights and responsibilities and in a further separate distinct portion it shall contain a provision for an optional sworn waiver of the right to request parentage tests under § 24-7-112.

FURTHER AMEND by correcting the spelling of the word "acknowledgment" wherever it may appear in the statutes which are the subject of this act.

Rep. Purcell moved that the House concur in Senate Amendment(s) No(s). 1 to House Bill No. 2527, which motion prevailed by the following vote:

Ayes. . . . .	95
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

REGULAR CALENDAR, CONTINUED

\*Senate Bill No. 0145 -- Criminal Offenses -- Authorizes T.B.I. to investigate destruction of property by explosives. Amends TCA, Titles 4, 8, 38, 57, 65, 68, 70.

Further consideration of Senate Bill No. 145, previously considered on today's Calendar.

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Rep. Allen renewed the motion to adopt Amendment No. 4, which motion prevailed.

Rep. Kernell moved that **Senate Bill No. 145** be re-referred to the Calendar and Rules Committee, which motion prevailed.

**House Bill No. 2355** -- Hospitals and Health Care Facilities -- Allows hospitals to employ physicians and surgeons. Amends TCA, Title 63, Ch. 6; Title 68, Ch. 11.

Rep. Purcell moved that **House Bill No. 2355** be re-referred to the Calendar and Rules Committee, which motion prevailed.

HOUSE ACTION ON SENATE AMENDMENTS

**House Bill No. 2387** -- Firefighters -- Increases amount that may be paid to eligible firefighters from revenues generated by tax on fire insurance from \$450 to \$600. Amends TCA 54-4-205.

Further consideration of **House Bill No. 2387**, previously considered on today's calendar.

Rep. West renewed the motion to concur in Senate Amendment(s) No(s). 3 to **House Bill No. 2387**, which motion prevailed by the following vote:

Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**\*House Joint Resolution No. 0663** -- Highway Signs -- "Chris Kilburn Memorial Bridge," Lawrence County.

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Rep. Allen renewed the motion to adopt Amendment No. 4, which motion prevailed.

Rep. Kernell moved that **Senate Bill No. 145** be re-referred to the Calendar and Rules Committee, which motion prevailed.

**House Bill No. 2355** -- Hospitals and Health Care Facilities -- Allows hospitals to employ physicians and surgeons. Amends TCA, Title 63, Ch. 6; Title 68, Ch. 11.

Rep. Purcell moved that **House Bill No. 2355** be re-referred to the Calendar and Rules Committee, which motion prevailed.

HOUSE ACTION ON SENATE AMENDMENTS

**House Bill No. 2387** -- Firefighters -- Increases amount that may be paid to eligible firefighters from revenues generated by tax on fire insurance from \$450 to \$600. Amends TCA 54-4-205.

Further consideration of **House Bill No. 2387**, previously considered on today's calendar.

Rep. West renewed the motion to concur in Senate Amendment(s) No(s). 3 to **House Bill No. 2387**, which motion prevailed by the following vote:

Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**\*House Joint Resolution No. 0663** -- Highway Signs -- "Chris Kilburn Memorial Bridge," Lawrence County.

Senate Amendment No. 1

Amend House Joint Resolution No. 663 by deleting the preamble language preceding the first resolving clause in its entirety and by substituting instead the following new language:

WHEREAS, Chris Kilburn was a popular sixth grader at Ingram Sowell School in Lawrenceburg when he tragically lost his life as the result of a traffic accident; and

WHEREAS, the very epitome of the All-American boy, the thirteen-year-old Chris Kilburn was not only a favorite among his peers, but he was also an accomplished athlete who truly loved sports, playing Little League baseball as a member of his hometown Tennessee Vols; and

WHEREAS, born on November 19, 1980, Chris Kilburn was a fine young man who loved the Lord with all his heart, and he was an active member of Highland Park Baptist Church; and

WHEREAS, Chris is survived by his loving mother, Kathy Kilburn and his brother, James Kilburn; stepfather Roger Wix and stepbrother Shawn Wix; and his grandparents John and Helen Wix, all of whom loved Chris dearly; and

WHEREAS, although Chris Kilburn has exited this life for a far better existence, his precious memory lives on in the hearts and minds of those who knew and loved him; and

WHEREAS, the members of this General Assembly desire to appropriately commemorate the bountiful life of Chris Kilburn; now, therefore,

AND FURTHER AMEND by deleting the first resolving clause in its entirety and by substituting instead the following new language:

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, That in honor of this exceptional young man whose vibrancy lives on now and forever, the bridge which spans Shoal Creek at mile marker 15.14 on U.S. Highway 64 within the corporate limits of the City of Lawrenceburg in Lawrence County is hereby designated as the "Chris Kilburn Memorial Bridge".

Rep. Moore moved that the House concur in Senate Amendment(s) No(s). 3 to House Joint Resolution No. 663, which motion prevailed by the following vote:

Ayes. . . . .	91
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong,

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Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 91.

A motion to reconsider was tabled.

**\*House Joint Resolution No. 0520** -- General Assembly, Studies -- Creates joint study commission on victims' rights compensation.

**Senate Amendment No. 1**

Amend House Joint Resolution No. 520 by deleting from the second resolving clause the language "three (3) members of the Senate, to be appointed by the Speaker of the Senate" and by substituting instead the following new language:

no more than three (3) members of the Senate  
consenting to serve when appointed by the Speaker of the  
Senate.

Rep. Miller moved that the House concur in Senate Amendment(s) No(s). 1 to **House Joint Resolution No 520**, which motion prevailed by the following vote:

Ayes. . . . .	93
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.



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A motion to reconsider was tabled.

**\*House Joint Resolution No. 0647** -- General Assembly, Studies --  
Creates special joint committee to study licensing of home  
inspection contractors.

**Senate Amendment No. 1**

Amend House Joint Resolution No. 647 by deleting from the second resolving clause the language "one (1) member of the majority party and one (1) member of the minority party from the Senate, to be appointed by the Speaker of the Senate" and by substituting instead the following language:

no more than one (1) member of the majority party and no more than one (1) member of the minority party consenting to serve when appointed by the Speaker of the Senate

Rep. West moved that the House concur in Senate Amendment(s) No(s). 1 to House Joint Resolution No. 647, which motion prevailed by the following vote:

Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**\*House Joint Resolution No. 0455** -- General Assembly, Studies --  
Creates special joint committee to study the response of public utilities and public works departments during emergencies.

**Senate Amendment No. 1**

AMEND House Joint Resolution No. 455 by deleting the language of the second resolving clause in its entirety and substituting instead the following new language:

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BE IT FURTHER RESOLVED, That the special joint committee shall consist of five (5) members of the House of Representatives, to be appointed by the Speaker of the House, and no more than five (5) members of the Senate consenting to serve when appointed by the Speaker of the Senate.

**Senate Amendment No. 2**

AMEND House Joint Resolution No. 455 by deleting from the second resolving clause the following words:

and who shall reside in the service area of the Nashville Electric Service

AND FURTHER AMEND by deleting from the final resolving clause the words, figures, and punctuation "no later than February 1, 1995," and by substituting instead the following:

no later than January 1, 1995,

Rep. West moved that the House concur in Senate Amendment(s) No(s). 1 and 2 to **House Joint Resolution No. 455**, which motion prevailed by the following vote:

Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, McAfee, McDaniel, McKee, Meyer, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**House Bill No. 1766 -- Tennessee Higher Education Commission --**  
Adds two nonvoting student members to Tennessee higher education commission; makes constitutional officers full voting members.  
Amends TCA 49-7-204.

Senate Amendment No. 1

Amend House Bill No. 1766 by deleting Section 1 in its entirety and by substituting instead the following:

Section 1. Tennessee Code Annotated, Section 49-7-204(a)(1) is amended by deleting the subdivision in its entirety and by substituting instead the following:

(a)(1) The commission shall consist of a total of nine (9) voting members. The governor shall appoint the members. The executive director of the state board of education, the comptroller of the treasury, the secretary of state and the state treasurer are ex-officio, non voting members. In addition, the governor shall appoint two (2) student members. The student members shall serve as ex-officio, non voting members.

AND FURTHER AMEND by deleting (d)(2)(A) in the amendatory language of Section 3 and by substituting instead the following:

(2)(A) Effective June 1, 1994, a student at the University of Tennessee at Knoxville shall be chosen and shall serve until July 1, 1995; effective July 1, 1995, a student at the University of Tennessee at Martin shall be chosen and shall serve until July 1, 1996; effective July 1, 1996 a student at the University of Tennessee at Chattanooga shall be chosen and shall serve until July 1, 1997; effective July 1, 1997, a student at the University of Tennessee Medical Units at Memphis shall be chosen and shall serve until July 1, 1998.

Rep. Williams (Shelby) moved that the House concur in Senate Amendment(s) No(s). 1 to House Bill No. 1766, which motion prevailed by the following vote:

Ayes. . . . .	96
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams

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(Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. U. Jones moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 735 out of order, which motion prevailed.

**House Joint Resolution No. 0735** -- Memorials, Public Service -- Representative Roscoe Dixon. by \*Jones U, \*Miller, \*Brooks, \*Chumney, \*Pruitt, \*Brown, \*Ritchie, \*Jones U, \*Armstrong, \*Turner L.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. U. Jones, the resolution was adopted by the following vote:

Ayes. . . . .	96
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

**HOUSE ACTION ON SENATE AMENDMENTS**

**\*House Joint Resolution No. 0617** -- General Assembly, Directed Studies -- Creates special task force to study accountability of nonprofits organizations in use of public funds.

**Senate Amendment No. 1**

Amend House Joint Resolution No. 617 by deleting from the second resolving clause the language "three (3) members of the Senate, to be appointed by the Senate;" and by substituting in

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stead the following new language:

no more than two (2) members of the Senate consenting to serve when appointed by the Speaker of the Senate.

Rep. DeBerry moved that the House concur in Senate Amendment(s) No(s). 1 to House Joint Resolution No. 617, which motion prevailed by the following vote:

Ayes. . . . .	90
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chumney, Clark, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hassell, Haun, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 90.

A motion to reconsider was tabled.

\*House Joint Resolution No. 0395 -- General Assembly, Studies -- Creates special legislative task force to study youth violence.

Senate Amendment No. 1

Amend House Joint Resolution No. 395 by deleting from the second resolving clause the language "three (3) members of the Senate, to be appointed by the Speaker of the Senate;" and by substituting instead the following new language:

no more than three (3) members of the Senate consenting to serve when appointed by the Speaker of the Senate;

Rep. DeBerry moved that the House concur in Senate Amendment(s) No(s). 1 to House Joint Resolution No. 395, which motion prevailed by the following vote:

Ayes. . . . .	95
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Callicott,

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Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

**\*House Joint Resolution No. 0428** -- General Assembly, Studies -- Creates special joint committee to study and coordinate implementation of governor's strategies to solve problems associated with drainage of streams and rivers in West Tennessee.

**Senate Amendment No. 1**

Amend House Joint Resolution No. 428 by deleting from the third resolving clause the language "three (3) members of the Senate who reside in the grand division of West Tennessee, to be appointed by the Speaker of the Senate" and by substituting instead the following new language:

no more than three (3) members of the Senate who reside in the grand division of West Tennessee consenting to serve when appointed by the Speaker.

Rep. Crain moved that the House concur in Senate Amendment(s) No(s). 1 to **House Joint Resolution No. 428**, which motion prevailed by the following vote:

Ayes. . . . .	96
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams

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(Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

**House Bill No. 1064** -- Public Buildings -- Enacts "Equitable Restrooms Act". Amends TCA, Title 68, Ch. 120.

Rep. Chumney requested that House Bill No. 1064 be moved to the heel of the Messages.

**House Bill No. 2435** -- Workers' Compensation -- Authorizes up to \$25 million to Workers' Compensation Insurance Fund to meet surplus requirements; outlines guidelines and restrictions. Amends TCA, Title 50, Ch. 6, Pt. 6.

**Senate Amendment No. 1**

Amend House Bill No. 2435 by deleting the language "state of Tennessee" in the amendatory language of subsection (a) and by substituting instead the language "general assembly through the general appropriations act".

Rep. Purcell moved that the House concur in Senate Amendment(s) No(s). 1 to House Bill No. 2435, which motion prevailed by the following vote:

Ayes. . . . .	71
Noes. . . . .	19

Representatives voting aye were: Armstrong, Bell, Bragg, Brooks, Brown, Buck, Byrd, Chumney, Clark, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Fisher, Fowlkes, Givens, Hassell, Haun, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Love, Miller, Mires, Moore, Napier, Odom, Owenby, Phelan, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Stamps, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Williamson), Windle, Winningham, Wix, Mr. Speaker Naifeh -- 71.

Representatives voting no were: Allen, Anderson, Bittle, Callicott, Chiles, Coffey, Duer, Garrett, Gunnels, Halteman Harwell, McAfee, McDaniel, Meyer, Peroulas Draper, Ramsey, Shirley, Stockburger, Williams (Union), Wood -- 19.

A motion to reconsider was tabled.

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House Bill No. 1064 -- Public Buildings -- Enacts "Equitable Restrooms Act". Amends TCA, Title 68, Ch. 120.

Further consideration of House Bill No. 1064, previously considered on today's Message Calendar.

Senate Amendment No. 2

AMEND House Bill No. 1064 is amended by adding the following to the amendatory language of Section 6 as subdivision (d):

(d) Open air facilities where portable facilities can be located.

AND FURTHER AMEND by deleting the language "or" from subdivision (b) of Section 6.

AND FURTHER AMEND by deleting the punctuation "." from subdivision (c) of Section 6 and by adding instead the language "; or".

Senate Amendment No. 4

AMEND House Bill No. 1064 by deleting Section 8 in its entirety and substituting instead the following:

Section 8. The state's share of the cost pursuant to Article II, Section 24 of the Constitution of Tennessee for any increased expenditure required by a county of municipality by the provisions of this act shall be provided from the increase in unallocated tax revenue or state-shared taxes enumerated in Tennessee Code Annotate, Section 9-6-301.

AND FURTHER AMEND by deleting "means the state building commission and the state fire marshal as provided in Tennessee Code Annotated, Section 68-120-203 (3)" in Section 3. (6) and substituting instead "means those entities set forth in Tennessee Code Annotated, Section 68-120-203 (3)".

Rep. Chumney moved that the House concur in Senate Amendment(s) No(s). 2 and 4 to House Bill No. 1064, which motion prevailed by the following vote:

Ayes. . . . .	95
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Jackson, Johnson,



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Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

**MESSAGE FROM THE SENATE  
April 21, 1994**

MR. SPEAKER: I am directed to return to the House, House Bill No. 286.

The Senate lifted the tabling motion, reconsidered passage of the bill, reconsidered adoption of Amendments Nos. 1 and 2; withdrew Amendments Nos. 1 and 2; then repassed the bill no third and final consideration.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE  
April 21, 1994**

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 2794.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**HOUSE ACTION ON SENATE MESSAGES**

\*Senate Bill No. 2794 -- Motor Vehicles, Titling and Registration -- Authorizes issuance of special license plates for honorably discharged veterans of United States armed forces. Amends TCA, Title 55, Ch. 4.

**CONFERENCE COMMITTEE REPORT  
SENATE BILL NO. 2794**

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on Senate Bill No. 2794 (House Bill No. 2833) has met and recommends that:

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Senate Amendments No. 1, 2 and 5 are adopted.  
House Amendments No. 3 and 4 are deleted.

The conference committee further recommends that the bill be amended by deleting Section 4(c)(2) and by substituting instead the following:

The design of such special plates as are issued shall bear the name of the county of issue on the lower edge of the tag. For honorably discharged veterans, the American flag will be in the center of the tag. For Vietnam veterans, who are honorably discharged, the center emblem will be crossed American and Republic of Vietnam flags. A Southeast Asia campaign medal must have been awarded in order to obtain the Vietnam veteran tag.

**Senators**

Don Wright  
Burks  
Crowe

**Representatives**

Ralph Cole  
Ivory O. Hillis, Jr.  
Jerry Cross

Rep. Hillis moved that the House adopt the Conference Committee Report on Senate Bill No. 2794, which motion prevailed by the following vote:

Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. Bittle moved that the rules be suspended for the purpose of introducing House Resolution No. 250 out of order, which motion prevailed.

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**House Resolution No. 0250 -- Memorials, Public Service -- Representative Tommy Haun. by \*Bittle.**

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Bittle, with the request that all members voting aye be added as sponsors, the resolution was adopted by the following vote:

Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Head, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. Allen moved that the rules be suspended for the purpose of introducing **House Resolution No. 251** out of order, which motion prevailed.

**House Resolution No. 0251 -- Memorials, Public Service -- Representative Ken Meyer. by \*Bittle.**

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Allen, with the request that all members voting aye be added as sponsors, the resolution was adopted by the following vote:

Ayes. . . . .	93
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Ferguson, Fisher, Fowlkes,

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Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

**CONSENT CALENDAR**

The following resolutions were placed on the Consent Calendar pursuant the suspension of Rule 17:

**Senate Joint Resolution No. 0512 -- Memorials, Interns --** Jawanza Whitfield.

**Senate Joint Resolution No. 0514 -- Memorials, Interns --** Candi Michelle Gholson.

**Senate Joint Resolution No. 0515 -- Memorials, Recognition and** Thanks -- Dr. Oscar C. Page.

**Senate Joint Resolution No. 0516 -- Memorials, Recognition and** Thanks -- Dr. Benjamin Lawson Hooks.

**Senate Joint Resolution No. 0517 -- Memorials, Public Service --** Henry Walker, general counsel, Public Service Commission.

**Senate Joint Resolution No. 0518 -- Memorials, Public Service --** Cora Ellarine Moses.

**Senate Joint Resolution No. 0519 -- Memorials, Interns --** Dabney Roberts.

**Senate Joint Resolution No. 0520 -- Memorials, Interns --** Matt Cleaves.

**Senate Joint Resolution No. 0504 -- Naming and Designating --** Ned McWherter Scholars Program.

**Senate Joint Resolution No. 0511 -- Naming and Designating --** "Dr. Martin Luther King, Jr. Solidarity Day," June 19, 1994.

**Senate Joint Resolution No. 0513 -- Naming and Designating --** "Dr. Martin Luther King, Jr. Solidarity Day," June 19, 1994.

**Senate Joint Resolution No. 0521 -- Memorials, Public Service --** Jean Croce Hemphill.

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The following resolution was introduced and placed on the Consent Calendar:

House Joint Resolution No. 0734 -- Memorials, Public Service --  
Joan Cook. \*Wix.

Pursuant to Rule No. 50, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes. . . . .	96
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

#### MOTION TO RECESS

On motion of Rep. Speaker Naifeh, the House recessed until 15 minutes.

#### RECESS EXPIRED

The recess having expired, the House was called to order by Mr. Speaker Naifeh.

On motion of Rep. Purcell, the roll call was dispensed with.

#### HOUSE ACTION ON SENATE AMENDMENT

\*House Joint Resolution No. 0588 -- General Assembly, Adjournment, Recess -- Adjoins general assembly sine die on April 21, 1994.

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**Senate Amendment No. 1**

Amend House Joint Resolution No. 588 by deleting the language "Wednesday, April 20" and by substituting instead the language "Thursday, April 21".

Rep. Purcell moved that the House concur in Senate Amendment(s) No(s). 1 to **House Bill No. 588**, which motion prevailed.

**RULES SUSPENDED**

Rep. Chumney moved that the rules be suspended for the purpose of introducing House Resolution No. 254 out of order, which motion prevailed.

**House Resolution No. 0254 -- Memorials --** Recognizes immense legal aptitude of Representative Shelby Rhinehart; requests Tennessee supreme court to license "Chief Justice Rhinehart" as honorary attorney at law. by \*Chumney, \*Buck, \*Crain, \*Cross, \*Ridgeway, \*Williams Micheal, \*Fisher, \*Herron, \*DeBerry, \*Thompson, Kernell.

On motion, the rules were suspended for the immediate consideration of the resolution.

Rep. Chumney moved to adopt House Resolution No. 254, which motion she then withdrew, seconded by Rep. Duer.

Rep. Chumney moved to withdraw House Resolution No. 254.

Rep. Clark moved to re-refer the House Resolution No. 254 to Industrial Impact subcommittee, which motion prevailed.

**MOTION TO RECESS**

On motion of Speaker Naifeh, the House recessed for 15 minutes.

**RECESS EXPIRED**

The recess having expired, the House was called to order by Mr. Speaker Naifeh.

On motion of Rep. Purcell, the roll call was dispensed with.

**ENGROSSED BILLS**  
**April 21, 1994**

The following bill(s) have been examined, engrossed, and are

**THURSDAY, APRIL 21, 1994 -- NINETIETH LEGISLATIVE DAY**

ready for transmission to the Senate: House Joint Resolution(s) No(s). 734.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ENGROSSED BILLS  
April 21, 1994**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 735.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE  
April 21, 1994**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1578, 1580, 1644, 1683, 1686, 1761, 1850, 2087, 2117, 2124, 2158, 2260, 2275, 2765 and 2920; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE  
April 21, 1994**

MR. SPEAKER: I am directed to return to the House, House Bill No. 2768.

The Senate lifted the tabling motion, reconsidered passage of the bill, adopted Amendment No. 2; then repassed the bill, as amended.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE  
April 21, 1994**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No. 461; amended, and concurred in by the Senate .

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**HOUSE ACTION ON SENATE AMENDMENTS**

House Bill No. 2768 -- Solid Waste Disposal -- Requires standard of fairness in location of landfills be established to ensure that criteria for location has eliminated environmental racism and pattern of locating landfills only in poorest neighborhoods. Amends TCA, Title 68, Ch. 211.

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Senate Amendment No. 2

Amend House Bill No. 2768 by deleting House Amendment No. 1  
- Section one in its entirety.

Rep. U. Jones moved that the House concur in Senate Amendment(s)  
No(s). 2 to House Bill No. 2768, which motion prevailed by the  
following vote:

Ayes. . . . .	91
Noes. . . . .	1

Representatives voting aye were: Anderson, Armstrong, Arriola,  
Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chumney,  
Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross,  
Davidson, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Givens,  
Gunnels, Halteman Harwell, Hargrove, Hassell, Haun, Herron, Hillis,  
Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent,  
Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel,  
McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas  
Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey,  
Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance,  
Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner  
(Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland,  
Whitson, Williams (Shelby), Williams (Union), Williams (Williamson),  
Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 91.

Representatives voting no were: Haley -- 1.

A motion to reconsider was tabled.

\*House Joint Resolution No. 0461 -- General Assembly, Studies --  
Creates special joint committee to review state's petroleum  
underground storage tank regulatory program and examine alternative  
funding mechanisms.

Senate Amendment No. 1

AMEND House Joint Resolution No. 461 by deleting the second  
resolving clause in its entirety and by substituting instead the  
following language:

BE IT FURTHER RESOLVED, That the special joint  
committee be composed of three (3) members of the House of  
Representatives, to be appointed by the Speaker of the  
House, no more than three (3) members of the Senate  
consenting to serve when appointed by the Speaker of the  
Senate.

Rep. Bragg moved that the House concur in Senate Amendment(s)  
No(s). 1 to House Bill No. 461, which motion prevailed by the  
following vote:



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Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**SPONSORS ADDED**

Under Rule No. 43, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Resolution No. 250:** Rep(s). McDaniel as prime sponsor(s).

**House Resolution No. 251:** Rep(s). Williams (Union), Walley, Liles, Venable, McKee and Allen as prime sponsor(s).

**House Joint Resolution No. 705:** Rep(s). Purcell as prime sponsor(s).

**House Joint Resolution No. 710:** Rep(s). Phelan as prime sponsor(s).

**House Joint Resolution No. 711:** Rep(s). Phelan and Kisber as prime sponsor(s).

**House Joint Resolution No. 731:** Rep(s). Phelan and Kisber as prime sponsor(s).

**House Joint Resolution No. 734:** Rep(s). Williams (Shelby) and Stamps as prime sponsor(s).

**REQUEST TO BE ADDED AS SPONSOR**

The following member(s) requested to add their name(s) as sponsor(s) as indicated below, the prime sponsor having agreed to such addition. Sponsorship was not granted since request was made after passage/adoption of said bill/resolution:

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**House Bill No. 2830: Rep(s). Clark.**

**SELECT COMMITTEE APPOINTMENTS**

The Speaker announced that he had appointed the following committee to notify the Senate that the House has completed its business for this session and was ready to adjourn sine die: Representatives Purcell and Bittle.

The Speaker announced that he had appointed the following committee to notify the Governor that the House has completed its business for this session and was ready to adjourn sine die: The House Female Caucus; Representatives DeBerry, Turner (Hamilton), Duer, Brooks, Brown, Peroulas Draper, Halteman Harwell, Hassell, Pruitt, Knight, Chumney, Williams (Shelby) and Owenby.

**REPORTS OF SELECT COMMITTEES**

Rep Purcell advised the House that the Senate had been notified that the House has completed its business for this session and is ready to adjourn sine die.

Rep. DeBerry advised the House that the Governor had been notified that the House has completed its business for this session and is ready to adjourn, sine die; the Governor stated that he had no further communications to transmit to the House.

**MOTION TO RECONSIDER**

The Speaker announced that a motion to reconsider House Joint Resolution No. 588 was tabled.

**MESSAGE FROM THE SENATE  
April 21, 1994**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1081; substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE  
April 21, 1994**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2834; substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

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**MESSAGE FROM THE SENATE**

**April 21, 1994**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2388; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**JOURNAL APPROVED**

On motion of Rep. Purcell, the Journal of the House of Representatives and the proceedings thereof were approved from the Forty-Ninth through the Ninetieth Legislative Days of the Second Regular Session.

**SINE DIE ADJOURNMENT**

Thereupon, in accordance with House Joint Resolution No. 588, as amended, Mr. Speaker Naifeh declared the House of Representatives of the Ninety-Eighth General Assembly adjourned, sine die.

Jimmy Naifeh, Speaker,  
House of Representatives.

ATTEST:

BURNEY T. DURHAM, Chief Clerk,  
House of Representatives.

**MESSAGE FROM THE SENATE**

**April 22, 1994**

MR. SPEAKER: I am directed by the Senate to notify the House that the Senate has completed its business and is ready to adjourn sine die in accordance with House Joint Resolution No. 588.

CLYDE W. McCULLOUGH, JR. Chief Clerk.

**ARTICLE III, SECTION 18  
CONSTITUTION OF TENNESSEE**

Pursuant to Article III, Section 18, of the Constitution of the State of Tennessee, all bills presented to the Governor on or after the sine die adjournment of the Ninety-Eighth General Assembly, will be filed by him, subject to his final action, with the Office of the Secretary of State.

**BILLS AND RESOLUTIONS ENROLLED, SIGNED AND  
TRANSMITTED TO THE GOVERNOR  
SUBSEQUENT TO SINE DIE ADJOURNMENT**

Appendix of House Bills and Resolutions presented to the Speaker of the House of Representatives and the Speaker of the Senate for

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their signatures, and appendix of the House Bills and House Joint Resolutions presented to the Governor, with his action, as recorded in the Office of the Secretary of State.

**MESSAGE FROM THE SENATE**

**April 22, 1994**

MR. SECRETARY OF STATE: I am directed to return to the House, House Joint Resolution(s) No(s). 534, 610, 657, 677, 696, 701, 705, 707, 709, 710, 711, 713, 721, 722, 723, 724, 728, 729, 730, 731, 732, 733, 734 and 735; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE GOVERNOR**

**April 22, 1994**

MR. SECRETARY OF STATE: I am directed by the Governor to return herewith: House Bill(s) No(s). 192, 952, 2068, 2134, 2395, 2418, 2533, 2558, 2595, 2772, 2821, 2856, 2879, 2903, 2905, 2906, 2907, 2909, 2911, 2912, 2914, 2915, 2916, 2917 and 2919, with his approval.

DIANNE F. NEAL, Counsel to the Governor.

**ENROLLED BILLS**

**April 26, 1994**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 124, 157, 178, 203, 216, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252 and 253; and find same correctly enrolled and ready for the signature of the Speaker.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED**

**April 26, 1994**

The Speaker signed the following: House Resolution(s) No(s). 124, 157, 178, 203, 216, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252 and 253.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ENROLLED BILLS**

**April 26, 1994**

The following bill(s) have been compared, enrolled, and are

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ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 173, 395, 401, 427, 428, 455, 461, 466, 468, 474, 487, 499, 506, 508, 514, 520, 534, 554, 560, 561, 562, 582, 588, 592, 593, 594, 595, 596, 610, 617, 624, 633, 638, 647, 657, 663, 666, 667, 669, 677, 683, 684, 685, 686, 687, 688, 689, 690, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, and 735.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED  
April 26, 1994**

The Speaker signed the following: House Joint Resolution(s) No(s). 173, 395, 401, 427, 428, 455, 461, 466, 468, 474, 487, 499, 506, 508, 514, 520, 534, 554, 560, 561, 562, 582, 588, 592, 593, 594, 595, 596, 610, 617, 624, 633, 638, 647, 657, 663, 666, 667, 669, 677, 683, 684, 685, 686, 687, 688, 689, 690, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734 and 735.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ENROLLED BILLS  
April 26, 1994**

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bills(s) No(s). 97, 286, 397, 635, 829, 843, 933, 948, 1064, 1081, 1331, 1578, 1580, 1644, 1670, 1683, 1686, 1704, 1719, 1761, 1766, 1850, 1866, 1887, 1961, 1993, 1997, 2015, 2049, 2087, 2117, 2124, 2153, 2158, 2174, 2208, 2242, 2260, 2275, 2276, 2284, 2285, 2287, 2338, 2347, 2380, 2387, 2388, 2394, 2427, 2435, 2443, 2451, 2456, 2463, 2471, 2485, 2507, 2526, 2527, 2613, 2621, 2677, 2736, 2745, 2746, 2759, 2761, 2765, 2768, 2776, 2808, 2827, 2834, 2900, 2920, 2930, 2931, 2932, 2933 and 2934.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED  
April 26, 1994**

The Speaker signed the following: House Bill(s) No(s). 97, 286, 397, 635, 829, 843, 933, 948, 1064, 1081, 1331, 1578, 1580, 1644, 1670, 1683, 1686, 1704, 1719, 1761, 1766, 1850, 1866, 1887, 1961, 1993, 1997, 2015, 2049, 2087, 2117, 2124, 2153, 2158, 2174, 2208, 2242, 2260, 2275, 2276, 2284, 2285, 2287, 2338, 2347, 2380, 2387,

**THURSDAY, APRIL 21, 1994 -- NINETIETH LEGISLATIVE DAY**

2388, 2394, 2427, 2435, 2443, 2451, 2456, 2463, 2471, 2485, 2507, 2526, 2527, 2613, 2621, 2677, 2736, 2745, 2746, 2759, 2761, 2765, 2768, 2776, 2808, 2827, 2834, 2900, 2920, 2930, 2931, 2932, 2933 and 2934.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE GOVERNOR  
April 27, 1994**

MR. SECRETARY OF STATE: I am directed by the Governor to return herewith: House Bill(s) No(s). 1742, 1898 and 2537, with his approval.

DIANNE F. NEAL, Counsel to the Governor.

**MESSAGE FROM THE GOVERNOR  
April 27, 1994**

MR. SECRETARY OF STATE: I am directed by the Governor to return herewith: House Bill(s) No(s). 2801, 2910, 2913 and 2918, with his approval.

DIANNE F. NEAL, Counsel to the Governor.

**MESSAGE FROM THE SENATE  
April 29, 1994**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 97, 286, 397, 635, 829, 843, 933, 948, 1064, 1081, 1331, 1578, 1580, 1644, 1670, 1683, 1686, 1704, 1719, 1761, 1766, 1850, 1866, 1887, 1961, 1993, 1997, 2015, 2049, 2087, 2117, 2124, 2153, 2158, 2174, 2208, 2242, 2260, 2275, 2276, 2284, 2285, 2287, 2338, 2347, 2380, 2387, 2388, 2394, 2427, 2435, 2443, 2451, 2456, 2463, 2471, 2485, 2507, 2526, 2527, 2613, 2621, 2677, 2736, 2745, 2746, 2759, 2761, 2765, 2768, 2776, 2808, 2827, 2834, 2900, 2920, 2930, 2931, 2932, 2933 and 2934; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE  
April 29, 1994**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 173, 395, 401, 427, 428, 455, 461, 466, 468, 474, 487, 499, 506, 508, 514, 520, 534, 554, 560, 561, 562, 582, 588, 592, 593, 594, 595, 596, 610, 617, 624, 633, 638, 647, 657, 663, 666, 667, 669, 677, 683, 684, 685, 686, 687, 688, 689, 690, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730,

**THURSDAY, APRIL 21, 1994 -- NINETIETH LEGISLATIVE DAY**

731, 732, 733, 734 and 735; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**

**April 29, 1994**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 43, 63, 131, 237, 343, 426, 876, 932, 980, 1089, 1143, 1403, 1495, 1681, 1772, 1807, 1871, 1875, 1987, 1993, 2001, 2007, 2072, 2103, 2182, 2211, 2216, 2249, 2324, 2345, 2375, 2388, 2390, 2393, 2424, 2434, 2441, 2498, 2544, 2557, 2577, 2611, 2612, 2639, 2643, 2693, 2725, 2741, 2756, 2777, 2794, 2813, 2820, 2822, 2880, 2885, 2903, 2904, 2905 and 2906; also, Senate Joint Resolution(s) No(s). 137, 298, 306, 332, 372, 390, 406, 439, 440, 445, 473, 493, 502, 504, 505, 506, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520 and 521; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**SIGNED**

**April 29, 1994**

The Speaker signed the following: Senate Bill(s) No(s). 43, 63, 131, 237, 343, 426, 876, 932, 980, 1089, 1143, 1403, 1495, 1681, 1772, 1807, 1871, 1875, 1987, 1993, 2001, 2007, 2072, 2103, 2182, 2211, 2216, 2249, 2324, 2345, 2375, 2388, 2390, 2393, 2424, 2434, 2441, 2498, 2544, 2557, 2577, 2611, 2612, 2639, 2643, 2693, 2725, 2741, 2756, 2777, 2794, 2813, 2820, 2822, 2880, 2885, 2903, 2904, 2905 and 2906; also, Senate Joint Resolution(s) No(s). 137, 298, 306, 332, 372, 390, 406, 439, 440, 445, 473, 493, 502, 504, 505, 506, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520 and 521.

**REPORT OF CHIEF ENGROSSING CLERK**

**May 2, 1994**

The following bill(s) have been transmitted to the Governor for his action: House Bill(s) No(s). 97, 286, 397, 635, 829, 843, 933, 948, 1064, 1081, 1331, 1578, 1580, 1644, 1670, 1683, 1686, 1704, 1719, 1761, 1766, 1850, 1866, 1887, 1961, 1993, 1997, 2015, 2049, 2087, 2117, 2124, 2153, 2158, 2174, 2208, 2242, 2260, 2275, 2276, 2284, 2285, 2287, 2338, 2347, 2380, 2387, 2388, 2394, 2427, 2435, 2443, 2451, 2456, 2463, 2471, 2485, 2507, 2526, 2527, 2613, 2621, 2677, 2736, 2745, 2746, 2759, 2761, 2765, 2768, 2776, 2808, 2827, 2834, 2900, 2920, 2930, 2931, 2932, 2933 and 2934.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

THURSDAY, APRIL 21, 1994 -- NINETIETH LEGISLATIVE DAY

REPORT OF CHIEF ENGROSSING CLERK  
May 2, 1994

The following bill(s) have been transmitted to the Governor for his action: House Joint Resolution(s) No(s). 173, 395, 401, 427, 428, 455, 461, 466, 468, 474, 487, 499, 506, 508, 514, 520, 534, 554, 560, 561, 562, 582, 588, 592, 593, 594, 595, 596, 610, 617, 624, 633, 638, 647, 657, 663, 666, 667, 669, 677, 683, 684, 685, 686, 687, 688, 689, 690, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734 and 735.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR  
May 2, 1994

MR. SECRETARY OF STATE: I am directed by the Governor to return herewith: House Bill(s) No(s). 2920, with his approval.

DIANNE F. NEAL, Counsel to the Governor.

MESSAGE FROM THE GOVERNOR  
May 9, 1994

MR. SECRETARY OF STATE: I am directed by the Governor to return herewith: House Bill(s) No(s). 948, 1064, 1331, 1578, 1580, 1644, 1704 and 1719, also, House Joint Resolution(s) No(s). 173, 395, 427, 428, 455, 461, 468, 487, 499, 506, 508, 514, 520, 534, 554, 560, 561, 562, 582, 592, 593, 594, 595, 596, 617, 624, 638, 647, 657, 663, 666, 667, 669, 677, 683, 684, 685, 686, 687, 688, 689, 690, 692 and 693; with his approval.

DIANNE F. NEAL, Counsel to the Governor.

MESSAGE FROM THE GOVERNOR  
May 9, 1994

MR. SECRETARY OF STATE: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725 and 726, with his approval.

DIANNE F. NEAL, Counsel to the Governor.

MESSAGE FROM THE GOVERNOR  
May 9, 1994

MR. SECRETARY OF STATE: I am directed by the Governor to return



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herewith: House Joint Resolution(s) No(s). 727, 728, 729, 730, 731, 732, 733, 734 and 735, with his approval.

DIANNE F. NEAL, Counsel to the Governor.

**MESSAGE FROM THE GOVERNOR**

**May 10, 1994**

MR. SECRETARY OF STATE: I am directed by the Governor to return herewith: House Bill(s) No(s). 97, 286, 397, 635, 843, 933, 1081, 1670, 1686, 1761, 1766, 1866, 1887, 1961, 1993, 1997, 2049, 2087, 2117, 2124, 2153, 2174, 2208, 2242, 2260, 2275, 2276, 2284, 2285, 2287, 2338, 2347, 2380, 2388, 2394, 2427, 2435, 2443 and 2451, with his approval.

DIANNE F. NEAL, Counsel to the Governor.

**MESSAGE FROM THE GOVERNOR**

**May 10, 1994**

MR. SECRETARY OF STATE: I am directed by the Governor to return herewith: House Bill(s) No(s). 2456, 2463, 2471, 2485, 2507, 2526, 2527, 2613, 2621, 2736, 2745, 2746, 2759, 2765, 2768, 2776, 2808, 2827, 2834, 2900, 2930, 2931, 2932, 2933 and 2934, also, House Joint Resolution(s) No(s). 401, 466, 474, 588, 610 and 696; with his approval.

DIANNE F. NEAL, Counsel to the Governor.

**MESSAGE FROM THE GOVERNOR**

**May 11, 1994**

MR. SECRETARY OF STATE: I am directed by the Governor to return herewith: House Bill(s) No(s). 1683, 1850, 2158, 2387, 2677 and 2761, with his approval.

DIANNE F. NEAL, Counsel to the Governor.

**MESSAGE FROM THE GOVERNOR**

**May 11, 1994**

MR. SECRETARY OF STATE: I am directed by the Governor to return herewith: House Bill(s) No(s). 2015, with his approval.

DIANNE F. NEAL, Counsel to the Governor.

**MESSAGE FROM THE GOVERNOR**

**May 12, 1994**

MR. SECRETARY OF STATE: I am directed by the Governor to return

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herewith: House Joint Resolution(s) No(s). 633, without his signature.

DIANNE F. NEAL, Counsel to the Governor.

**MESSAGE FROM THE GOVERNOR  
May 12, 1994**

MR. SECRETARY OF STATE: I am directed by the Governor to return herewith: House Bill No. 829, without his signature.

DIANNE F. NEAL,  
Counsel to the Governor.

**GOVERNOR'S STATEMENT ON HOUSE BILL NO. 829**

I am hereby returning House Bill No. 829 without my signature. I strongly support efforts by the Legislature to strengthen Tennessee's Victims Compensation Program. However, there are serious questions whether the resources needed to implement House Bill No. 829 were provided in the legislation. Substantial portions of the legislation were added by amendment on the floors of the House and Senate. These amendments were not discussed when the legislation was recommended for passage by the respective Finance committees of the Senate and House. As a result, it appears that no mechanism exists to provide adequate funding to implement the requirements of House Bill No. 829. It is for these reasons that I take this action.

**JOURNAL CORRECTION**

On March 31, 1993, Rep. R. Jones should have been recorded as voting no on House Joint Resolution No. 38 (pg. 860 HJ).